

## **Simsbury Board of Education Policy**

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### **5146 Student Welfare**

#### **5146.4 Drug and Alcohol Use by Students**

Drug And Alcohol Use By Students Policy Statement:

The Board is required by Connecticut law to prescribe rules for the management and discipline of its schools. In keeping with this mandate, the use, sale, distribution or possession of controlled drugs, controlled substances, drug paraphernalia, as defined in C.G.S. Section 21a-240, or alcohol on or off school property or during any school sponsored activity is prohibited.

It shall be the policy of the Board to take positive action through education, counseling, discipline, parental involvement, medical referral, and law enforcement referral, as appropriate, in the handling of incidents in the schools involving the possession, distribution, sale or use of substances that affect behavior.

#### **Definitions**

(1) Controlled Drugs: means those drugs which contain any quantity of a substance which has been designated as subject to the federal Controlled Substances Act, or which has been designated as a depressant or stimulant drug pursuant to federal food and drug laws, or which has been designated by the Commissioner of Consumer Protection pursuant to C.G.S. Section 21a-243, as having a stimulant, depressant or hallucinogenic effect upon the higher functions of the central nervous system and as having a tendency to promote abuse or psychological or physiological dependence, or both. Such controlled drugs are classifiable as amphetamine-type, barbiturate-type, cannabis-type, cocaine-type, hallucinogenic, morphine-type and other stimulant and depressant drugs. C.G.S. Section 21a-240(8).

(2) Controlled Substances: means a drug, substance or immediate precursor in schedules I to V, inclusive, of the Connecticut controlled substance scheduling regulations adopted pursuant to C.G.S. Section 21a-243. C.G.S. Section 21a-240(9).

(3) Professional Communication: any communication made privately and in confidence by a student to a professional employee of such student's school in the course of the professional employee's employment. C.G.S. Section 10-154a(a)(4).

(4) Professional Employee: means a person employed by a school who "(A) holds a certificate from the State Board of Education, (B) is a member of a faculty where certification is not required, (C) is an administration officer of a school, or (D) is a 93 registered nurse employed by or assigned to a school." C.G.S. Section 10-154a(a)(2).

(5) Drug Paraphernalia: means any equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to all items specified in C.G.S. Section 21a-240(20)(A), such as "bongs," pipes, "roach clips," miniature cocaine spoons, crack cocaine vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing,

possessing, distributing or selling controlled drugs or controlled substances. C.G.S. Section 21a-240(20)(A).

#### Procedures

(1) Emergencies. If an emergency situation results from drug or alcohol use, the student shall be sent to the school nurse or medical advisor immediately. The parent or designated responsible person will be notified.

(2) Prescribed Medications. The parent or guardian of any student who is required to take any prescribed medication during the school day shall so inform the school nurse or the person designated to act in the absence of a nurse. Such prescribed medication will then be administered to the student under the supervision of the school nurse or designee in accordance with C.G.S. Section 10-212a and the applicable regulations and in accordance with any Board policies and regulations concerning medication administration. Students taking improper amounts of a prescribed medication, or taking a prescribed medication without proper notification and supervision of the school nurse or designee will be subject to the procedures for improper drug or alcohol use outlined in this policy.

(3) Voluntary Disclosure of Drug/Alcohol Problem (Self-Referral).

The following procedures will be followed when a student privately, and in confidence, discloses to a professional employee in a professional communication information concerning the student's use, possession, distribution or sale of a controlled drug, controlled substance or alcohol.

- A. Professional employees are permitted, in their professional judgment, to disclose any information acquired through a professional communication with a student, when such information concerns alcohol or drug abuse or any alcohol or drug problem of such student. In no event, however, will they be required to do so. C.G.S. Section 10-154a(b).
- B. Any physical evidence obtained from such student through a professional communication indicating that a crime has been or is being committed by the student must be turned over to school administrators or law enforcement officials as soon as possible, but no later than two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. Employees are encouraged to contact the school administrator immediately upon obtaining physical evidence. In no case, however, will such employee be required to disclose the name of the student from whom the evidence was obtained. C.G.S. Section 10-154a(b).
- C. Any professional employee who has received a professional communication from a student may obtain advice and information concerning appropriate resources and refer the student accordingly, subject to the rights of the professional employee as described in paragraph (a) above.
- D. If a student consents to disclosure of a professional communication concerning the student's alcohol or drug problem, or if the professional employee deems disclosure to be appropriate, the professional employee should report the student's name and problem to the school's building administrator or designee who shall refer the student to appropriate school staff members for intervention and counseling.

(4) Involuntary Disclosure or Discovery of Drug/Alcohol Problems.

When a professional employee obtains information related to a student from a source other than the student's confidential disclosure, that the student, on or off school grounds or at a

school sponsored activity, is under the influence of, or possesses, uses, dispenses, distributes, administers, sells or aids in the procurement of a controlled drug, controlled substance, drug paraphernalia or 95 alcohol, that information is considered to be involuntarily disclosed.

In this event, the following procedures will apply.

- A. The professional employee will immediately report the information to the building administrator or designee. The building administrator or designee will then refer the student to appropriate school staff members for intervention and counseling.
- B. Any physical evidence (for example, alcohol, drugs or drug paraphernalia) obtained from a student indicating that a crime has been or is being committed by the student must be turned over to the building administrator or designee or to law enforcement officials as soon as possible, but no later than within two calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(b). Because such evidence was not obtained through a professional communication, the name of the student must be disclosed to the building administrator or designee.
- C. Search and Seizure of Students and/or Possessions:
- D. A professional employee who reasonably suspects that a student is violating a state/federal law or a school substance abuse policy must immediately report his/her suspicion to the building administrator or designee. The building administrator or designee may then search a student's person or possessions connected to that person, in accordance with the Board's policies and regulations if he/she has reasonable suspicion from the inception of the search that the student has violated or is violating either the law or a school substance abuse policy.
- E. Any physical evidence obtained in the search of a student, or a student's possessions, indicating that the student is violating or has violated a state or federal law must be turned over to law enforcement officials as soon as possible, but not later than within three calendar days after receipt of such physical evidence, excluding Saturdays, Sundays and holidays. C.G.S. Section 10-154a(c). All school employees are encouraged to contact the school administration immediately upon obtaining physical evidence.

(5) Consequences for the Use, Sale, Distribution or Possession of Controlled Drugs, Controlled Substances, Drug Paraphernalia or Alcohol.

- A. Any student in the Simsbury Public Schools using, consuming, possessing, being under the influence of, manufacturing, distributing, selling or aiding in the procurement of controlled drugs, controlled substances, drug paraphernalia or alcohol either on or off school property, or at a school-sponsored activity is subject to discipline up to and including expulsion pursuant to the Board's Student Discipline Policy 5133.
- B. Students found to be in violation this policy may be referred by the building administrator to an appropriate agency licensed to assess and treat drug and alcohol involved individuals. In such event, assessment and treatment costs will be the responsibility of the parent or guardian.
- C. A meeting may be scheduled with appropriate school staff members for the purpose of discussing the school's drug and alcohol policy with the student and parent or guardian.
- D. Law enforcement officials may be contacted by the building administrator in the case of suspected involvement in the use, sale or distribution of controlled drugs, controlled substances, drug paraphernalia or alcohol. (Adopted January 10, 2006)

## 5132 Student Conduct

### 5132.1 Conduct at School and Activities

#### **Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion (Section III)**

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion) includes conduct on school grounds or at a school-sponsored activity, and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft, forgery
3. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized possession and/or display of images, pictures or photographs depicting nudity.
4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.
7. Refusal by a student to identify himself/herself to a staff member when asked, or misidentification of oneself to such person(s).
8. A walk-out from or sit-in within a classroom or school building or school grounds.
9. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
10. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air soft pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument.
11. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
12. Possession or ignition of any fireworks or other explosive materials, or ignition of any material causing a fire.
13. Unauthorized possession, sale, distribution, use, consumption, or aiding in the procurement of tobacco, drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics, herbal compounds with psychotropic effects (such as K2 or "spice") or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances. For the purposes of this Paragraph 13, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.

14. Possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described in subparagraph (13) above.
  15. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
  16. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
  17. Trespassing on school grounds while on out-of-school suspension or expulsion.
  18. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
  19. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
  20. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
  21. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
  22. Leaving school grounds, school transportation or a school-sponsored activity without authorization.
  23. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution.
  24. Possession and/or use of a cellular telephone, radio, walkman, CD player, blackberry, personal data assistant, walkie talkie or similar electronic device on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations.
  25. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
  26. Unauthorized use of any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for unauthorized purposes.
  27. Unauthorized possession and/or use of a laser pointer.
  28. Hazing.
  29. Bullying defined as any overt acts by a student or group of students directed against another student with the intent to ridicule, harass, humiliate, or intimidate the other student while on school grounds, on a school bus, or at a school-sponsored activity, which acts are committed more than once against any student during the school year.
  30. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.
  31. Any action prohibited by any Federal or State law.
  32. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.
- (Revised January 25, 2011)